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National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*

Mexico

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I. Methodology and consultation process[1]

1. The present report was drafted using information provided by 36 federal agencies, the Supreme Court of Justice, the Council of the Federal Judiciary, the Chamber of Senators and the Chamber of Deputies. It describes the actions taken to address the recommendations that emerged from the second cycle of the universal periodic review, in accordance with the guidelines established by the Office of the United Nations High Commissioner for Human Rights, including progress made in areas not covered by the recommendations and issues of concern identified by civil society.

2. A forum was held on 8 June 2018 to gather the views of civil society on progress made and challenges remaining with respect to the recommendations that emerged from the universal periodic review.[2]

3. A table annexed illustrates the actions undertaken to follow up on each of the recommendations.[3]

II. Follow-up on recommendations from the second cycle of the universal periodic review

4. Three regional forums were held to disseminate the response of Mexico to the recommendations emerging from the second cycle of the universal periodic review, the report of the Working Group and the document submitted by civil society organizations in July 2014 regarding hindrances and priorities in the implementation of the recommendations.

5. In order to be implemented, the recommendations of the second cycle of the universal periodic review were shared with competent agencies and bodies, at both federal and local level.

III. Normative and institutional framework

6. Constitutional reforms enacted in 2011 recognized the constitutional precedence of international human rights treaties ratified by Mexico and required the authorities to interpret human rights in the light of the pro persona principle, thereby ensuring greater protection for the individual. In the wake of that constitutional reform, other reforms were approved in the areas of labour (2012 and 2017), education (2013), public finances and social welfare (2013), transparency of and access to information (2014), energy (2014) finance (2014) and economic competition (2014), the aim being to promote economic and social development with a view to the full realization of human rights.

7. Principal normative and institutional changes since the last universal periodic review:

- General Act on the Rights of Children and Adolescents of 2014, which recognizes children and adolescents as rights holders, includes provision for the creation of the national system for the protection of children's and adolescents' rights, and regulates the involvement of the private and social sectors. In addition, the Act distributes and assigns jurisdictions and obligations among the three branches of government, imposes cooperation among all parties involved and establishes means for the protection and restitution of rights;
- Migration Act, amended in 2014 and 2018, which protects the human rights of migrants, refugees and persons seeking refugee status, and requires that children and adolescents be housed in shelters run by the State or civil society while their migration status is being resolved. Furthermore, the Act increases to seven the number of days residents of neighbouring States can remain in the country as "regional visitors" and strengthens provisions to prevent violence against migrant women;

- Refugees, Complementary Protection and Political Asylum Act, which regulates the granting of political asylum, the recognition of refugee status and the conferral of additional protection, with the aim of ensuring respect for human rights;
- General Act for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and for the Protection and Assistance of Victims of 2012, which was last amended in 2014. It includes provision for assigning jurisdictions and establishing coordination mechanisms among the three branches of government to prevent, investigate, pursue and punish human trafficking and to provide comprehensive, adequate and effective redress for victims;
- General Act on Transparency and Access to Public Information of 2015, under which the States are required to create autonomous bodies for the transparency of and access to public information. Parties with obligations under the Act include autonomous agencies, political parties, trustees, public funds, and any other physical or juridical person who uses public funds or holds positions of authority;
- Amendment in 2014 to the Federal Act on the Prevention and Elimination of Discrimination, which increased the list of discriminatory grounds to: skin colour, culture, physical appearance, genetic characteristics, migration status, political identity or affiliation, family situation, family responsibilities, language, criminal record, homophobia, misogyny, segregation, racial discrimination and other related forms of intolerance;
- General Act on the National Anti-Corruption System of 2016, which facilitates cooperation between federal and local authorities to prevent, identify, and punish administrative shortcomings and corruption, and to oversee the management of public resources;
- A new criminal justice system was introduced in 2016 under a constitutional reform to transform the traditional criminal procedure into an adversarial and oral system rooted in the principles of openness, disputation, concentration, continuity, swiftness, equality of the parties, due process, presumption of innocence and prohibition of double jeopardy;
- General Act on Administrative Responsibility of 2016, which assigns jurisdictions, obligations and responsibilities, and establishes administrative sanctions for acts or omissions on the part of public servants and private citizens related to serious administrative errors, as well as procedures for the application of the same;
- National Criminal Enforcement Act of 2016, which regulates pretrial detention, the enforcement of sentences and the security measures imposed by court order. In addition, it sets forth procedures for the resolution of controversies surrounding the enforcement of sentences and regulates social reintegration;
- Amendment in 2017 to the General Victims Act, which guarantees access to comprehensive care, redress and independent expertise for victims, and protection for persons who have been displaced as a result of victimization. Its operational body, the Executive Commission for Victim Support, includes civil society representatives and academics;
- Labour reforms in 2017 rendered the labour justice system independent and made labour tribunals part of the judiciary (previously they had depended on the executive). In addition, the reforms created mandatory conciliation procedures for the resolution of labour controversies;
- General Act on the Prevention, Investigation and Punishment of Torture of 2017, which reflects the highest international standards, homologizes the classification of criminal acts, assigns and coordinates jurisdictions and functions in order to prevent, investigate and punish torture. It also includes measures for assistance to victims, establishes responsibility for both acts and omissions (also by hierarchical superiors who are aware of or participate in the crime), excludes any evidence obtained directly or indirectly through torture, contains provision for the creation of specialized prosecutor's offices and guarantees the right to present independent

expert reports, in line with the Istanbul Protocol and the non-applicability of statutory limitations;

- General Act on Enforced Disappearance of Persons, Disappearance Perpetrated by Individuals and the National Search System for Missing Persons of 2017, which reflects the highest international standards. It assigns and coordinates jurisdictions and functions in order to prevent, investigate and punish enforced disappearance. It homologizes the classification of the criminal acts of enforced disappearance and disappearance perpetrated by individuals and includes provision for the creation of the National Search System for Missing Persons, the National Search Commission, and a citizens' council for the evaluation and application of the law. In addition, the Act contains provision for the creation of specialized prosecutor's offices and the consolidation of the National Register of Missing and Non-located Persons;
- Internal Security Act of 2017 which regulates and provides a legal framework for the actions of the Mexican Armed Forces when dealing with security threats that exceed the capacity of the local authorities (implementation suspended pending judicial review).

8. Human rights and development programmes:

- National Development Plan 2013–2018;
- National Human Rights Programme 2014–2018, which is the key instrument in this field and is consistent with international standards and recommendations, its purpose being to consolidate a society founded in the rule of law;
- National Programme for Equality of Opportunities and Non-Discrimination against Women 2013–2018;
- National Programme for Equality and Non-Discrimination 2014–2018;
- Comprehensive Programme to Prevent, Treat, Punish and Eradicate Violence against Women 2014–2018;
- Special Migration Programme 2014–2018;
- National Programme for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and for the Protection and Assistance of Victims 2014–2018;
- Special Programme for Indigenous Peoples 2014–2018;
- National Programme for the Advancement and Inclusion of Persons with Disabilities 2014–2108;
- National Programme for the Protection of Children and Adolescents 2016–2018;
- Comprehensive Care Programme for Victims 2014–2018.

IV. Implementation of recommendations of the second cycle of the universal periodic review

A. Alignment with the international human rights system (Recommendations 1, 2, 3, 4, 5, 8, 9 and 10)

9. Mexico is party to the nine principal human rights treaties. It has accepted the competence of five human rights treaty bodies to receive individual petitions,[4] and of three to undertake investigations.[5]

10. An open invitation has been extended to special procedures since 2001 and, since its second appearance before the universal periodic review mechanism in 2013, Mexico has received eight official visits from special procedures of the United Nations and six from regional human rights bodies.[6]

11. Mexico is holding inter-institutional consultations to consider ratifying the following instruments:

- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;
- Optional Protocol to the Convention on the Rights of the Child on a communications procedure;
- International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189);
- Inter-American Convention on Protecting the Human Rights of Older Persons;
- Inter-American Convention against All Forms of Discrimination and Intolerance;
- Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance.

12. Mexico admits urgent actions in line with article 30 of the International Convention for the Protection of All Persons from Enforced Disappearance as well as individual petitions submitted within the framework of inter-American or universal human rights systems.

13. In 2014, Mexico withdrew the following reservations to treaties:

- Reservation to article 22 (4) of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
- Reservation to article 6 of the Convention relating to the Status of Foreigners;
- Reservation to article 32 of the Convention relating to the Status of Refugees;
- Reservation to article 31 of the Convention relating to the Status of Stateless Persons;
- Reservation to article 23 (2) of the Declaration Recognizing the Jurisdiction of the Inter-American Court of Human Rights;
- Reservation to article 13 of the International Covenant on Civil and Political Rights;
- Reservation to article 9 of the Inter-American Convention on Forced Disappearance of Persons.

B. Harmonization of legislation (Recommendations 11, 12, 13, 14, 16, 28, 33, 35 and 38)

14. The National Human Rights Programme includes a strategy for the harmonization of legislation across 32 state constitutions, in line with the 2011 constitutional reforms on human rights.

15. A standing committee to review the administrative norms of the federal administration and a working group with focal points of delegations and representations from agencies, offices and bodies were set up in the States. Furthermore, the Federal Government's Comprehensive Strategy for Regulatory Improvement and the Simplification of Procedures and Services was published in 2015 and, with the involvement of the three branches of government and the National Human Rights Commission, the following two documents were published: *Bases Conceptuales para la Implementación de la Reforma Constitucional en Materia de Derechos Humanos* (Conceptual foundation for the implementation of the constitutional reform on human rights in the federal administration) and *Avances y Retos en la Implementación de la Reforma Constitucional de Derechos Humanos* (Progress and challenges in the implementation of the constitutional reform on human rights).

16. During the period 2014–2017, criminal, civil and labour legislation was revised from a gender perspective. As a result, 248 discriminatory local criminal laws and 130 civil and family ones were rescinded or amended. In addition, national meetings for the

harmonization of legislation are held on a regular basis and attended by local deputations, state-level mechanisms, the state-level judiciary, the Chamber of Senators, the Chamber of Deputies and the National Institute for Women. The meetings serve to assess progress made and identify actions necessary to harmonize legislation in favour of the human rights of women and girls.

17. The National Institute for Women monitors an index that measures progress in legislative harmonization in each federal entity, in terms of laws and regulations on equality, violence against women, discrimination and human trafficking. The index stood at 44.9 per cent in 2010 and 75.0 per cent in 2017.[7]

C. National Development Plan and National Human Rights Programme (Recommendations 30, 31, 32, 34 and 143)

18. The constitutional reforms enacted in 2011 and subsequent efforts to harmonize human rights legislation led to the formation of the National Development Plan and the National Human Rights Programme.

19. The National Development Plan determines the budget programming of the federal administration under five national-level goals — Mexico: peaceful, inclusive, with quality education, prosperous and bearing global responsibility — in order to encourage sustainable social development as a condition for the progressive realization of human rights.

20. The National Human Rights Programme includes guidelines for addressing the recommendations of the second cycle of the universal periodic review, as well as of national and international bodies, concerning torture, femicide, enforced disappearance, arbitrary detention and *arraigo* (preventive custody).

21. The Programme includes an independent assessment mechanism, which will allow the Government and civil society to obtain relevant and up-to-date information on effective public policies and other requirements related to human rights.

22. The Programme promotes state-level human rights programmes. Currently 13 States have one.[8]

23. The purpose of the National System for Evaluating the Level of Human Rights Fulfilment is to systematize human rights information with a view to strengthening public policies, facilitate the production of and access to such information, develop indicators to help evaluate the enjoyment and exercise of human rights and encourage the participation of academia.

D. Autonomous human rights institutions (Recommendation 29)

24. In June 2018, amendments were introduced into the National Human Rights Commission Act to regulate the transparent election of its presidency and consultative council, with the participation of society and in line with the Paris Principles.

E. Promotion of equal rights and non-discrimination (Recommendations 21, 39 and 41)

25. The National Programme for Equality and Non-Discrimination, which was issued in 2014, mainstreams the right to non-discrimination and labour equality across federal agencies, in line with international recommendations.

26. The National Council for the Prevention of Discrimination promotes local-level legislation on the basis of a model law for the prevention and elimination of discrimination that is based on more than 50 international treaties.

27. Currently, 27 local-level constitutions include an anti-discrimination clause and 32 states have a law on the subject. In addition, 29 criminal codes and other pieces of local-

level legislation include discriminatory grounds as an element in the offence of discrimination, offences against the dignity and equality of persons and gender-based violence, or as an aggravating factor in other crimes such as murder, injury and hate.

28. Mexican Standard NMX-R-025-SCFI-2015 on labour equality and non-discrimination was published in 2015. Currently, 309 workplaces and 28 of the 30 federal agencies have been certified under that Standard.

1. Gender equality (Recommendations 23, 24, 40, 42, 43, 44, 45, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 102, 112, 138 and 139)

29. The National Programme for Equality of Opportunities and Non-Discrimination against Women 2013–2018, a mandatory cross-cutting programme that arose out of the National Development Plan, channels national gender equality policies and brings a gender-perspective to the work of branches of government and autonomous bodies. The Programme has a follow-up platform where 288 institutions report on progress made in more than 300 areas. Gender perspective is also incorporated into the federal budget.

30. Mexico has 32 state-level laws on equality, of which 18 have regulations, as well as 30 state-level equality systems. There are 32 local-level laws regarding access for women and their right to a life free of violence, 29 of which have regulations, and 32 state-level systems to combat violence against women and girls.[6] All 32 States have a law to prevent and eradicate discrimination and 27 of them have laws regarding human trafficking.

31. The National System for Equality between Women and Men has restructured its coordination mechanisms into four commissions:

- A commission for monitoring national policy in respect of equality between women and men, which follows up on the General Act on Equality between Women and Men, the Planning Act, the National Development Plan and the programmes deriving therefrom, as well as the recommendations of the Committee on the Elimination of Discrimination against Women and other international mechanisms;
- A commission for relations with federal agencies, which promotes the harmonization of public policy and local norms with the National Policy on Equality between Women and Men, and with international instruments;
- A commission for relations with the legislature, which promotes legislative initiatives that help to guarantee equality between women and men; it also plans, programmes, monitors and evaluates the management of public resources from a gender perspective;
- A commission on the national system to prevent, address, punish and eliminate violence against women, which promotes policies and inter-institutional coordination with the aim of guaranteeing gender equality and a life free of violence.

32. The General Act on Women's Access to a Life Free of Violence penalizes femicide in line with the Federal Criminal Code, reduces to eight hours the deadline for issuing protection orders and obliges the Attorney General's Office to maintain a public register of gender-based offences. It also includes provision for gender-based protocols for the immediate search for women and girls who have disappeared and the investigation of offences of discrimination, sexual violence, femicide, human trafficking and deprivation of liberty. A countrywide definition of the offence of femicide was established in December 2017.

33. In 2018, a budget of 47.918 billion Mexican pesos (Mex$) was approved for promoting equality between women and men, an increase of 124.2 per cent with respect to 2012. A gender perspective was incorporated into 25 state-level equality laws and into local spending budgets. The principle of equality between women and men was also incorporated into 16 state-level planning laws.

34. The Attorney General's Office has developed the following instruments:

- General guidelines for standardizing investigations into offences involving the disappearance, rape and murder of women for reasons of gender;

- Investigation protocols incorporating a gender perspective for prosecutors, police and experts regarding femicide and sexual violence.

35. The Supreme Court has issued nine protocols on the administration of justice, including a protocol on judging with a gender perspective and a protocol containing guidance on the adjudication of cases involving human rights violations on grounds of sexual orientation or gender identity. In addition, a protocol on political violence against women has been adopted, which helped to address 141 complaints between 2015 and 2016.

36. The office of the special prosecutor for violent crimes against women and trafficking in persons was created to undertake investigations and uncover evidence in cases involving such offences.

37. An alert mechanism for gender violence against women helps to tackle the violence or harm that women may suffer in a particular municipality or state. Between 2015 and the present, 13 alerts have been raised of 27 requested.[10]

38. Between 2013 and 2017, 39 Women's Justice Centres were established in 27 areas, providing 16.2 million women with legal advice, medical and psychological care, economic and social empowerment, specialized care for children and referral to homes, shelters and refuges.

39. Between 2013 and 2017, the Ministry of the Interior set up the 01800 *Háblalo* telephone hotline and ran campaigns such as "Prevention of Violence against Women", "Not all Men are the Same" and "#NavegaSegura". The National Institute for Women has run permanent campaigns on equality between women and men and prevention of violence against women and girls.

40. The Indigenous Rights Programme runs 31 homes for indigenous women, which are administered by the women themselves and provide culturally relevant and differentiated sexual and reproductive health-care services with a gender and human rights perspective. Between 2013 and 2017, support was given to 371 anti-violence programmes with an intercultural focus and to 549 programmes to promote the rights of indigenous women.

41. As regards political and electoral rights, electoral parity was enshrined in the Constitution in 2014. That facilitated an increase of women in the Congress of the Union (42.4 per cent) and in local legislatures (42 per cent), thereby placing Mexico second in Latin America and seventh in the world. Following the federal elections of 2 July 2018, the Congress of the Union will achieve electoral parity.

42. The federal administration has issued protocols to prevent, address and punish sexual harassment and to address alleged acts of discrimination

43. The National Institute for Women and the National Institute of Statistics and Geography work constantly to generate accurate, relevant and quality statistics incorporating a gender perspective in all areas relevant to social development and inclusion. This takes place through a specialized technical committee on information with a gender perspective, within the framework of the National Statistical and Geographical Information System.

2. Rights of indigenous persons and persons of African descent (Recommendations 46, 47, 113, 166, 167, 168, 169, 170, 171 and 172)

44. Article 2 of the Constitution recognizes the right of indigenous peoples and communities to self-determination and the autonomy of their traditional systems of justice.

45. The new criminal justice system recognizes indigenous jurisdiction for the culturally appropriate resolution of minor conflicts. Furthermore, the Special Unit for Indigenous Affairs within the Attorney General's Office helps indigenous persons access justice effectively, while bearing in mind their own traditional systems and fully respecting their dignity and human rights.

46. The National Institute of Indigenous Languages has certified 512 indigenous language interpreters and accredited 623 officials and administrators of justice to assist indigenous persons in 79 varying language forms. The Institute also promotes the

recruitment of interpreters in hospitals to assist indigenous persons and persons of African descent.

47. The Constitution mandates prior consultation on any matters that may affect indigenous peoples or communities such as the issuing of permits, concessions, licences or authorizations. From 2013 to date, 89 consultations have been launched with the relevant agencies on the basis of an ad hoc model and in line with the "Protocol for undertaking consultations with indigenous peoples and communities in line with the standards set forth in the ILO Indigenous and Tribal Peoples Convention (No. 169)", published in 2013.

48. Constitutional reforms in the field of energy have, through the Hydrocarbons Act and the Electrical Industry Act, established an obligation to hold prior consultations on energy projects that could affect indigenous peoples and communities.

49. The Supreme Court has issued a protocol for persons who administer justice in cases involving development and infrastructure projects, as well as a protocol on the rights of indigenous persons, communities and peoples. The protocols are intended to help judges and magistrates follow best practices when judging on issues that involve indigenous peoples or communities.

50. Self-identification for persons of African descent was incorporated into the intercensal survey of the National Institute of Statistics and Geography, as were the results of a national survey on discrimination in Mexico and the sociodemographic profile of the population of African descent, in order to give visibility to the demographic and socioecomonic conditions experienced by such persons. The campaign *¡Soy afro! Me reconozco y cuento* was organized as a way of recognizing populations of African descent as collective rights holders.

51. The Office of the Electoral Public Defender for Indigenous Peoples and Communities was established in 2016 within the Electoral Tribunal of the Federal Judiciary.

3. Rights of children and adolescents (Recommendations 37, 81, 82, 83 and 110)

52. The General Act on the Rights of Children and Adolescents includes provision for the creation of child protection offices at both state and federal level. The offices can ask the Public Prosecutor to take urgent special protection measures in cases of imminent risk to the life, integrity or freedom of a child.

53. The regulations governing the General Act on the Rights of Children and Adolescents were issued in 2015, and the National System for the Comprehensive Protection of Children and Adolescents was set up. Currently, there are 32 state-level and 1,680 municipal-level systems to develop instruments, policies, procedures, services and actions to protect children and adolescents, and to manage resources and oversee relations between public, private and civil society bodies, in order to implement the Act and state-level laws. In order to facilitate coordination, the National System for the Comprehensive Protection of Children and Adolescents has also set up nine commissions dealing with, inter alia, violence, early infancy, substantive equality, special protection and fulfilment of recommendations, as well as mechanisms for the participation of children and adolescents.

54. The amendment of article 18 of the Constitution, which concerns juvenile justice, envisages alternative ways to administer justice. The National Act on the Comprehensive Juvenile Criminal Justice System, which was issued in 2016, incorporates the principles of restorative justice and of *ultima ratio*.

55. The General Act on the Rights of Children and Adolescents regulates help centres for children and adolescents in four areas: authorization, registration, certification and supervision. It also includes provision for them to be given residential accommodation without parental or family care while protecting their rights in the fullest possible manner.

56. An internal procedure for the restoration of rights and measures of protection for children and adolescents, and guidelines for the restoration of such rights and measures — part of the National System for the Comprehensive Development of the Family — set forth

procedures for restoring rights and providing protection to children or adolescents who have suffered a violation.

4. Rights of persons with disabilities (Recommendations 27, 163, 164 and 165)

57. The principle of non-discrimination and the right to equality for persons with disabilities are enshrined in article 1 of the Constitution and in 11 local laws. Six other local laws define the denial of reasonable accommodation as a form of discrimination.[11]

58. The Act for the Inclusion of Persons with Disabilities, which was issued in 2011, includes provision for the creation of the National Council for the Development and Inclusion of Persons with Disabilities.

59. The National Programme for the Advancement and Inclusion of Persons with Disabilities, published in 2014, covers such areas as access to health care, education, work, accessibility, tourism, political rights, administration of justice, sports and culture as well as the harmonization of legislation.

60. *Seguro Popular*, the people's health insurance scheme, has 444,737 beneficiaries with a physical and/or mental disabilities; 83 of every 100 persons with a disability is affiliated to a social security system or health-care service.[12]

61. Under the national programmes *Escuelas Dignas* and *Escuelas al CIEN* the accessibility and lavatories of public schools have been adapted to accommodate children with disabilities. At the close of 2017, 8,891 schools had been adapted benefiting 1.2 million students.

62. Between 2012 and 2017, the *Abriendo Espacios* programme of the National Employment Service served 203,425 jobseekers with disabilities of whom 71,388 were placed in employment.

63. The National Criminal Enforcement Act envisages reasonable accommodation in procedures and in the design of facilities for persons with disabilities or persons exempt from criminal responsibility. The federal prison system has adapted showers, published the regulations governing federal social rehabilitation centres in Braille, equipped certain areas for the provision of medical or psychological care, fitted access ramps and altered living quarters. In addition, it offers education, social work, sport and motor stimulation programmes.

64. Investigation protocols for the offences of femicide and sexual violence incorporate a gender perspective, in view of the vulnerability of women and girls with physical, sensory, psychological or psychiatric disabilities.

65. Work is currently under way on a ministerial protocol regarding persons with disabilities in elections and a disability guide for personnel working in the administration of justice.

5. Rights of migrants, refugees and asylum seekers (Recommendations 173, 174, 175 and 176)

66. The Special Migration Programme guarantees the rights of migrants — both nationals and foreigners — on the basis of the principles of joint responsibility and coordination as enshrined in the Migration Act,[13] with a view to the implementation of a migration policy that is clear, comprehensive, cross-cutting and multisectoral. The Programme incorporates the perspectives of human rights, gender, human safety, differentiated criteria, migration and development, well-being of the migrant and migration culture.

67. The following protocols have been adopted:

- A protocol to ensure that the principles governing the rights of children and adolescents in migration-related administrative procedures are respected from the time the child or adolescent is presented until the resolution of their migration status, including coordination on the part of the National Institute of Migration with other competent authorities;

- A protocol on caring for unaccompanied or separated child and adolescent migrants who are being housed by the State; the protocol identifies different migrant profiles in order to identify and address the specific needs of child and adolescent migrants and refer them to the competent authorities;
- A protocol on consular care for unaccompanied child and adolescent migrants; the protocol envisages an initial evaluation taking account of the particular circumstances with a view to taking legal measures and providing comprehensive protection;
- An assessment protocol for identifying unaccompanied or separated children and adolescents who show signs of requiring international protection; the protocol takes account of child and adolescent development and of the effects of violence;
- A guide to prevent racial profiling practices on the part of migration officials;
- A protocol for investigating offences committed by and against migrants in positions of vulnerability and persons subject to international protection who are on national territory.

68. The following protection mechanisms have been established:

- The Humane Repatriation Programme, the Interior Repatriation Procedure, and the *Somos Mexicanos* Strategy, which offer repatriated Mexicans a dignified, secure and free return and refer them to programmes and support — including health care and housing — run by the State, civil society and private initiatives;
- Beta Groups for migrant protection, which operate in defence of migrants crossing national territory and in the repatriation of Mexican migrants;[14]
- Child protection officers, who are specialized in the protection of unaccompanied child and adolescent migrants. Such migrants are immediately referred to health-care services, offered the possibility of communicating with their families and legal assistance and, in the case of assisted return, accompanied back to their country of origin;
- The *Tres por uno* programme for migrants, which supports the efforts by Mexican emigrants' associations to undertake development projects in their places of origin. Each peso contributed by migrants is matched by three from the Government;
- A temporary migrant regularization programme, which was run in 2015 and replicated in 2017 and is aimed at irregular foreign migrants residing in Mexico;
- The Unit for the Investigation of Crimes against Migrants, which facilitates access to justice for migrants who have been victims of crimes in Mexico;
- The temporary employment programme of the Ministry of Communications and Transport, which has its roots in the *Somos Mexicanos. Aquí tienes las puertas abiertas* strategy (We are Mexicans. Here you will find the doors open) and aims to assist Mexicans returning from the United States of America.

69. In 2018, the *Seguro Popular* is providing free medical services to 10,675 members, who also include migrants.

70. By the end of 2017, the Mexican Social Security Institute's social inclusion programme (PROSPERA), had provided 107,536 consultations to the migrant population.

71. In terms of education, the Programme for Inclusion and Equity in Education identifies approaches to basic education for migrant children who are at risk of exclusion and vulnerability. It also provides academic consolidation, specific forms of support, contextualization of content and equipment. In the academic year 2016/17, 48,956 migrant students were assisted by more than 2,000 teachers.

72. The national school monitoring system for the migrant population has recorded academic progress at the preschool and primary levels among children and adolescents from families of agricultural day-workers and migrants. In 2017, 2,063 teachers provided 53,524 educational services to 43,925 students in migrant agricultural camps.

73. Access to basic, upper-secondary public education has been facilitated for migrant children and adolescents by exempting them from the requirement to legalize documents or to have them translated into Spanish by a sworn translator.

74. Inter-institutional groups have been formed within the Advisory Council on Migration Policy of the Ministry of the Interior to work on specific problems facing the migrant population:

- An inter-institutional group on the right to identity and access to education of migrants was formed in 2015;
- A working group on the prevention of violence and the protection of migrants in Mexico, formed in 2016, has drawn up five models for the implementation of a pilot programme for the prevention of violence and delinquency in the migrant population. The programme seeks to address risk factors in Tapachula, Chiapas; Tijuana, Baja California; Morelia, Michoacán; and San Luis Potosí.

75. A technical group was set up in 2017 for mainstreaming gender into policies for assisting and protecting migrant women, the aim being to incorporate gender perspectives and to implement affirmative action in administrative rules and procedures and in public migration policies.

6. Civil and political rights

(a) *Administration of justice (Recommendations 17, 18, 60, 61, 62, 63, 64, 65, 94, 95, 96, 98, 100 and 103)*

76. The reform to the system of criminal justice of 2008 — one of the largest ever juridical and institutional transformations — came into effect at the national level in 2016. The criminal justice procedure moved from an inquisitorial to an adversarial and oral system rooted in the principles of openness, disputation concentration, continuity, swiftness and respect for human rights.

77. A unit was set up to coordinate the implementation and consolidation of the new adversarial system of criminal justice in line with an ideal management model and a master implementation plan that cover the activities of the Public Prosecutor, the police and experts of the Attorney General's Office in the 32 state-level delegations.

78. The new system of criminal justice considers pretrial detention as an exceptional measure. It represents 19.52 per cent of the precautionary measures imposed by judges, which also include: periodic reporting obligations, monetary bail, travel bans and other measures to resolve conflicts in cases involving non-violent offences.

79. The National Criminal Enforcement Act, which came into force in 2016, led to the approval of 44 protocols and 92 model systematic operational procedures in state-run penitentiaries.

80. The use of *arraigo* has been restricted and it has become an exceptional precautionary measure used only in cases of organized crime. In the application of *arraigo* incommunicado detention, intimidation and torture are all prohibited and suspects have to be informed of the acts imputed to them and of their rights, notably the right to an adequate defence. Provision is made for a "supervisory judge", an independent figure who oversees the rights of persons being held in *arraigo*, victims and injured parties and verifies the legality of the actions taken by the authorities. The use of *arraigo* has diminished considerably (with only one person held under that regime).

81. A unit was set up in the Federal *Arraigo* Centre to protect the human rights of persons being held there. The Centre also provides family members with advice on human rights and investigations.

82. In order to improve detention conditions and social reintegration and to relieve pressure in the state-run penitentiary system, the capacity of Federal Social Rehabilitation Centres increased by 48.71 per cent between 2012 and 2018. The Centres currently have an availability capacity of 51.29 per cent.

83. A programme was set up to distribute the prison population into rehabilitation centres, leading to 14,340 transfers between 2010 and 2016.

84. Seventeen Comprehensive Care Caravans have benefited 21,393 persons in Federal Social Rehabilitation Centres.

85. As regards care for victims, the General Victims Act requires authorities of all levels and in all branches of government, as well as autonomous bodies and public and private institutions, to protect victims by providing aid, assistance and, as required, comprehensive redress.

86. The General Act on Torture served to reinforce the national mechanism for the prevention of torture, which was set up in line with the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Under the Act, the mechanism is given broader powers and greater resources to conduct permanent and systematic oversight of places of deprivation of liberty. A citizens' technical committee was set up in 2018, to carry out monitoring in that regard.

(b) Consolidating rule of law and the security of citizens (Recommendations 36, 90, 91, 92, 93, 97, 99, 101, 104 and 108)

87. A manual on the use of force by the three branches of the armed forces was published in 2014 with the aim of regulating the use of force from a human rights perspective and in line with the principles of appropriateness, proportionality, rationality and legality.

88. Five regional offices of the Internal Affairs Unit of the Federal Police were set up in 2017. They carry out inspections of regional units and receive complaints and reports (from officers and citizens) regarding shortcomings or omissions.

89. The Ministry of Defence's human rights programme for 2014–2018, which was published in 2014, seeks to promote respect and protection for human rights in the Mexican army and air force.

90. In 2016, the Ministry of Naval Affairs set up a unit for the promotion and protection of human rights. The unit proposes strategies for respecting and protecting human rights, international human rights law, humanitarian law and gender equality.

91. In 2016 and 2017, the Ministry of Naval Affairs concluded agreements with the National Human Rights Commission, the International Committee of the Red Cross and the Council of the Federal Judiciary to train naval personnel in human rights, the use of force and the criminal justice system. In collaboration with the National Human Rights Commission, the Ministry drafted and disseminated a human rights manual for its staff.

92. The Ministry of Defence and the Ministry of Naval Affairs provide human-rights and gender-equality training to their staff in order to prevent sexual violence against women and girls in situations of vulnerability and during public security support operations.

93. Within the framework of the new system of criminal justice, as of the end of 2015, 134,176 officials had received direct training and 47,762 officials, academics and trainee lawyers had received online training via the education platform of the Technical Secretariat of the Coordinating Council for the Implementation of the Criminal Justice System.

94. The National Council for Public Security approved a special training plan on criminal justice and basic policing skills to teach 333,865 local-, state- and municipal-level police officers about the adversarial system. The plan is based on national protocols for first responders and for officers qualified to process crime scenes, as well as on the national chain of custody guide.

95. The Federal Police Protocol sets certain parameters and conditions in order to provide a legal framework and ensure transparency for the techniques, tactics, arms, equipment and levels of force used by the Federal Police.

96. Since 2012, the Council of the Federal Judiciary has been training judges, magistrates, and administrative and judicial personnel in human rights and treaty compliance.

97. The National Therapeutic Justice Programme and the National Addiction Prevention Programme take a comprehensive public health- and human rights-based approach to drug treatment programmes, on the basis of the recommendations contained in the final document of the 2016 special session of the General Assembly on the world drug problem.

98. The Ministry of Defence has a unit for relations with citizens, which deals with persons who have been affected by armed operations against drug trafficking and organized crime. The unit also develops early warning mechanisms to prevent adverse effects for the civilian population. Its staff receive human rights training.

99. Complaints against the Ministry of Defence to the National Human Rights Commission fell by 76.55 per cent in 2017 with respect to 2016.

(c) Military jurisdiction (Recommendation 109)

100. The Code of Military Justice, the Federal Code of Criminal Procedure and the Act on Minimum Rules for the Social Rehabilitation of Sentenced Persons were all amended in 2014 in order to bring military legislation into line with the constitutional reforms of 2008. Since then and up to 2017, military courts have surrendered jurisdiction to the civilian courts in 25 criminal cases, 1,173 preliminary investigations and 130 investigation files.

101. The Supreme Court has issued terms of reference for jurisdictional bodies hearing cases involving members of the military[15] wherein it defines the remit of the military courts in accordance with the following two fundamental principles:

- In a democratic State the jurisdiction of military courts must be limited and exceptional. They may only judge acting members of the armed forces for offences or omissions which, by their nature, affect the military order;
- Military courts have no jurisdiction over situations affecting the human rights of civilians such as torture, enforced disappearance or sexual violence. Civilian victims have the right to participate in criminal proceedings in order to obtain redress for any harm suffered and to fulfil their right to truth and justice.

102. Any violation of human rights, irrespective of the victim, can be reviewed and pursued before the ordinary courts through *amparo* proceedings, in accordance with articles 8 and 25 of the American Convention on Human Rights.

(d) Combating corruption and impunity (Recommendations 106 and 107)

103. The national anti-corruption system was created in 2016 as a foundation for coordination between the three branches of government with a view to preventing detecting and punishing administrative shortcomings and acts of corruption and to overseeing the management of public resources.

104. The anti-corruption system is coordinated by a committee made up of representatives from the Supreme Audit Office of the Federation, the body responsible for the internal control of the executive, the office of the special anti-corruption prosecutor, the Federal Tribunal of Administrative Justice, the National Institute for Transparency and the Council of the Federal Judiciary.

105. The anti-corruption system ensures that civil society is adequately represented thanks to a citizens' participation committee made up of five members.

106. In 2016, the Federal Police concluded an agreement with the Ministry of the Public Service for the development of strategies and instruments to prevent and combat corruption.

(e) Combating torture and other cruel, inhuman or degrading treatment (Recommendations 19, 20, 49, 50, 51, 52 and 53)

107. The General Act on the Prevention, Investigation and Punishment of Torture and other Cruel, Inhuman or Degrading Forms of Treatment came into force in 2017. It reflects the highest international standards, coordinates and assigns jurisdictions, and homologizes the classification of criminal acts and penalties. It also includes provision for the care, protection and comprehensive redress of victims. The Act was debated publically at forums

and round tables with representatives of federal- and state-level government, civil society and academia as well as state, national and international human rights organizations.

108. A protocol for investigating crimes of torture, approved in 2017, defines the investigative methodologies and procedures to be followed by prosecutors, experts and the police. The office of the special anti-torture prosecutor was created in 2018.

109. A protocol on preventing torture and cruel, inhuman or degrading treatment against persons deprived of liberty was approved in 2016.

(f) Enforced disappearance and disappearance perpetrated by individuals (Recommendations 15, 54, 55, 56, 57, 58 and 59)

110. In 2015, the Attorney General's Office approved a protocol for searching for disappeared persons and investigating the offence of enforced disappearance, which combines investigative criteria and procedures with care for victims.

111. The General Act on Enforced Disappearance of Persons, Disappearance Perpetrated by Individuals and the National Search System for Missing Persons of 2017, which assigns functions and coordinates jurisdictions, envisages the creation of the National Search System for Missing Persons, the National Search Commission and the National Register of Missing and Non-located Persons. It also includes provision for the creation of a citizens' council, which is a consultative and participatory body made up of relatives of victims, civil society and special prosecutors at both federal and local level.

112. The office of the special prosecutor for enforced disappearance was established in 2018 to launch, direct, coordinate and supervise investigations into the offences defined in the Act.

113. In 2018, the National Search Commissioner was appointed following a process in which relatives of missing persons, civil society and experts all participated. At the same time, some of the states began the process of adapting their local search commissions.[16] Currently, the National Search Commission is working on a digital database of missing persons, which will facilitate wider searches including biometric searches.

(g) Anti-human trafficking measures (Recommendations 25, 84, 85, 86, 87, 88 and 89)

114. The National Programme for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and for the Protection and Assistance of Victims 2014–2018 was drawn up, in line with the General Act for the Prevention, Punishment and Eradication of Crimes of Human Trafficking and for the Protection and Assistance of Victims of 2012.

115. An interministerial commission was created to define and coordinate the implementation of a national policy to prevent, eradicate and punish human trafficking. Interministerial commissions or inter-institutional committees were also created in the 32 entities.

116. The National Institute of Migration combats human trafficking using a procedure to detect, identify and care for foreigners who are victims of serious crimes on national territory. Foreign child and adolescent migrants who may be victims of crime are cared for by child protection officers.

117. The national Amber Alert Mexico programme exists to search for and recover missing children and adolescents and who may have been abducted for purposes of trafficking. Various agencies collaborate in the search for relatives with a view to family reunification.

118. Between 2014 and 2017, as part of a comprehensive strategy to prevent human trafficking in the travel and tourism sector, a code of conduct for the protection of children and adolescents in the tourism sector was drawn up, with a view to protecting them from sexual and labour exploitation. The code was adopted by 1,274 tourist establishments, while 1,084 tourism service providers and public servants were trained in the prevention of human trafficking.

119. A proposed plan of action to prevent the sexual exploitation of children and adolescents in the travel and tourism sector has been developed, to be adopted by the 12 countries that make up the Regional Working Group of the Americas.

(h) Protection of human rights defenders and journalists (Recommendations 22, 116, 117, 118, 119, 120, 121, 122, 123, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136 and 137)

120. Since its creation, the mechanism for the protection of human rights defenders and journalists has helped 948 persons. It is currently providing protection to 697 individuals, of whom 396 are human rights defenders and 301 journalists. From 2012 to June 2018, the mechanism received 695 requests for admittance of which 584 were accepted. It has been revised to incorporate a gender perspective into its procedures.

121. The mechanism, which is made up of federal- and state-level agencies and civil society bodies, seeks to protect the life, physical integrity, freedom and security of human rights defenders and journalists who may be at risk due to their activities and their exercise of the right to freedom of expression.

122. The National Human Rights Programme includes an indicator on the effectiveness of the mechanism, according to which it was 92 per cent effective in 2013, 92.2 per cent in 2014, 92.75 per cent in 2015 and 92.94 per cent in 2016.

123. The Human Rights Defenders and Journalists Protection Fund was set up to support the implementation of protection measures approved by the administrative board and the branch offices of the mechanism.

124. The mechanism runs working groups with state- and federal-level offices of the Attorney General, representatives of indigenous communities, advisers and lawyers in order to defend cases.

125. The office of the special prosecutor for offences committed against freedom of expression trains its staff to handle complaints effectively and to ensure investigations abide by due process. It adopts a differentiated approach that is in line with international standards on freedom of expression and reflects the principles of legality, objectivity, efficiency, professionalism, honour, loyalty and respect for human rights. The purpose is to uncover facts, support the prosecution of suspects and ensure redress for any harm caused. Actions and measures taken have generated positive results vis-à-vis combating impunity:

	2016	*2017*	*2018*
Investigations under judicial control	0	24	17
Appearances before the courts	0	20	33
Arrest warrants	4	29	11
Prosecution	15	19	15

126. In 2017, the National Conference of State Governors announced a number of actions in support of freedom of expression and of human rights defenders and journalists:

(a) Consolidation of the structure and budget of the federal protection mechanism for human rights defenders and journalists;

(b) Creation of a national scheme for coordination between the federal mechanism and state governments and of a protocol to coordinate actions to combat and reduce situations of risk against journalists and human rights defenders;

(c) Consolidation of the office of the special prosecutor for offences committed against freedom of expression.

(i) Freedom of religion and belief (Recommendation 115)

127. Article 24 of the Constitution, regarding religious freedom, was amended in 2013 to guarantee all persons the right to hold or modify their ethical, conscientious and religious convictions as they see fit.

7. Economic, social and cultural rights

(a) Combating poverty and social inequality (Recommendations 11, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150 and 152)

128. The main achievements in combating poverty between 2012 and 2016:

- Reduction of poverty levels from 45.5 per cent to 43.6 per cent;
- Reduction of extreme poverty from 9.8 per cent to 7.6 per cent, equivalent to 2.2 million people;
- Reduction of population at risk due to social deprivation from 28.6 per cent to 26.8 per cent, equivalent to 700,000 persons;
- The population suffering social deprivation fell from 74.1 per cent to 70.4 per cent, equivalent to 600,000 persons;
- The educational deficit fell from 19.2 per cent to 17.4 per cent, equivalent to 1.2 million persons;
- Lack of access to health services fell from 21.5 per cent to 15.5 per cent, equivalent to 6.2 million persons;
- The population with no access to social security fell from 61.2 per cent to 55.8 per cent, equivalent to 3.3 million persons;
- The population with no access to housing fell from 13.6 per cent to 12.1 per cent;
- The population with no access to basic services fell from 21.2 per cent to 19.3 per cent, equivalent to 1.2 million persons;
- The population lacking access to food fell from 23.3 per cent to 20.1 per cent;
- People with incomes below the minimum well-being line fell from 20 per cent of the entire population to 17.5 per cent (2.1 million fewer than in 2012).

129. In 2016 and 2017, a support programme for persons in need served 12,495 beneficiaries in positions of vulnerability through temporary subsidies in cash or in kind, or temporary residency, with a view to mitigating vulnerability and improving standards of living.

130. The PROSPERA programme gives support in cash and in kind to families with limited resources to provide food, education and health care and to promote their inclusion in the labour market and in productive, financial and social activities. The programme budget increased by 17 per cent between 2012 and 2016.

131. The Federal Consumer Protection Office has concluded agreements with the Ministry of Social Development to improve access to food and welfare services for persons in situations of poverty and vulnerability, penalize commercial practices affecting low-income families and — through the DICONSA rural supply programme — verify maximum prices for certain basic goods in rural areas.

132. PROMÉXICO promotes rural growth and development by improving competitiveness and encouraging exports among small and medium-sized agricultural businesses. It collaborates with the Ministry of Agriculture, organizing agribusiness sessions in the context of the ACERCA programme to promote the export growth of companies. It has also concluded an agreement with the agricultural trustees of FIRA to develop support strategies for exports in the agricultural, forestry and fishing sectors.

133. Through the Rural Women's Microfinance Fund, the National Microentrepreneur Financing Programme grants loans to rural women for investment projects that provide self-employment and income.

(b) Right to health (Recommendations 153, 154, 155 and 157)

134. The PROSPERA programme provides health services in 28 entities to 12.4 million persons who have no social security.

135. Since 2004, the *Seguro Popular* health insurance scheme has drawn up a basic catalogue of health services for 53,482,126 persons in situations of vulnerability who have no social security. *Seguro Popular* coordinates state-level social health insurance systems as well as public and private health-care providers in the states.

136. As regards sexual and reproductive rights, 2016 saw the publication of Mexican Official Standard NOM-007-SSA2-2016 on care for women during pregnancy, childbirth and postpartum nursing, and of newborn infants, from a human rights perspective. The number of *Servicios Amigables* (user-friendly services) — which offer 14 different kinds of contraceptive to help adolescents of both sexes exercise sexual responsibility — rose from 1,055 in 2012 to 2,144 in 2017.

137. NOM-046-SSA2-2005 on care for female victims of domestic and sexual violence was amended in 2016 to include the right to legal interruption of pregnancy.

138. NOM-047-SSA-2015 was issued in 2015. It concerns sexual and reproductive health services for persons aged between 10 and 19 through guidance, counselling and contraceptive measures to prevent unplanned pregnancies.

139. Six programmes deriving from the Health Sector Programme 2013–2018 promote effective access to information and services regarding sexual and reproductive health:

- Family planning and contraception, 2013–2018;
- Sexual and reproductive health care for adolescents, 2013–2018;
- Maternal and perinatal health care, 2013–2018;
- Preventing and controlling cancer in women, 2013–2018;
- Preventing and responding to domestic and gender-based violence, 2013–2018;
- Gender equality in health care, 2013–2018.

140. The guidelines on comprehensive sexual and reproductive health care for adolescents, which were drafted by public institutions and civil society, standardize administrative, training and service delivery activities, in line with international recommendations governing sexual and reproductive health services for adolescents.

141. A national strategy to prevent pregnancy in adolescents was rolled out in 2015. Its aim for 2030 is to reduce pregnancy among 15–19-year olds by 50 per cent and to eradicate pregnancy among girls aged 14 or under. The 32 federative entities each has a state-level group for the prevention of adolescent pregnancies and 30 of them presented reports in 2017. Thanks to the strategy, pregnancy in girls fell by 15.2 per cent between 2014 and 2016, and in adolescents by 14.8 per cent.

142. Obstetric care, notably emergency care, is provided universally and free of charge in public health structures nationwide. Particular attention is given to indigenous people and vulnerable groups, and mortality among mothers and infants has fallen thanks to pre-pregnancy identification of women at high risk of reproductive complications, prenatal checks with a risk approach and high-quality obstetric emergency procedures with an intercultural focus.

(c) Right to food (Recommendation 26)

143. The PAL Food Support Programme seeks to improve food and nutrition for vulnerable families. In 2015, PAL covered 706,216 families, of which 101,409 were in indigenous areas.[17]

144. The Social Milk Supply Programme sells enriched milk at preferential prices to poor households with children, adolescents, pregnant or breastfeeding women, older persons, chronically ill persons or persons with disabilities. The Programme serves 6.4 million people, of whom 70 per cent live in urban areas and 30 per cent in semi-urban or rural areas.

145. DICONSA supports food and nutrition in rural areas with the supply of basic products at reasonable prices via a network of 27,283 shops. The DICOSNA basic food basket implicates a saving of 16.22 per cent. By June 2015, the programme had extended to cover 52 million potential beneficiaries.[18]

146. The National Crusade against Hunger serves 7 million persons (92 per cent of those envisaged in the six-year plan) who suffer extreme poverty and lack access to food. It covers such aspects as decent housing, basic infrastructure, roads, drinking water, drainage, sanitation, education, health care and production projects.

147. The Senate is currently discussing a bill on the right to food. The bill aims to ensure that that right may be exercised effectively and to contribute to food self-sufficiency, security and sustainability.

(d) Right to education (Recommendations 156, 158, 159, 160, 161, 162 and 163)

148. Educational reforms in 2013 are rooted in the right to quality education on a basis of fairness and aim to guarantee opportunities to enrol, progress and remain in the national educational system.

149. A new educational model is being rolled out under which the system is being reorganized into five categories: curriculum development, the school as the centre of the educational system, formation and development of teaching staff, inclusion and fairness, and governance.

150. The 2017 *Modelo Educativo Aprendizajes Clave para la educación Integral* (Apprenticeships, the key to comprehensive education) is a tool that incorporates plans and programmes for basic education. It includes educational content, pedagogical principles and graduation profiles, with a focus on academic formation and personal and social development.

151. Since 2014, the Programme for Inclusion and Equity in Education has been seeking to ensure greater coverage, inclusion and fairness by setting standards and providing support for public education and improving educational infrastructure. In basic education, the support provided during the academic year 2016/17 benefited 390,000 children and adolescents from indigenous and migrant backgrounds. In addition, 6,213 schools received support from the Multiple Care Centres (CAM) and the Mainstream Education Support Service Units (USAER); equipment was provided for 568 educational services for migrants and support given to 3,175 distance learning establishments and 8,317 schools for indigenous migrants.

152. The year 2015 saw the launch of the *Escuelas al CIEN* project, which aimed to improve infrastructure and equipment in more than 33,000 schools of all levels with a forecast investment of Mex$ 50 billion. By the end of 2017, Mex$ 26.8 billion had been invested in 17,674 schools, benefiting 3.6 million students.

153. Lodging and food are provided via the Indigenous Education Support Programme, which also serves to consolidate cultural identity and encourage recreational activities among indigenous students. During 2017, the Programme benefited 441 boys and girls at preschool level, 32,631 in primary education, 21,698 secondary school students, 14,104 baccalaureate students and 1,320 students in higher education. The Programme aims to eliminate school dropout among indigenous children and adolescents.

154. The National Institute of Indigenous Languages works to develop strategies for teaching indigenous languages as a second language and activities to revitalize languages at high risk of extinction. It also seeks to promote initiatives for the development of multilanguage teaching programmes in public schools.

155. The PROSPERA programme provides grants and school supplies for students between the levels of basic and upper-secondary education. A total of 6,133,087 students received such grants in the period 2016–2017.

156. The National Scholarship Programme — which incorporates gender, human rights and anti-violence perspectives — offers grants for children, adolescents and young persons, particularly in areas that are rural and/or remote or that have high degrees of marginalization and/or social deprivation. The Programme is complemented by the allocation of grants to promote basic education among young mothers and pregnant girls, open to girls and adolescents between the ages of 12 and 18. Grants for basic, upper-secondary and higher education increase annually so as to reduce inequalities in enrolling, progressing and remaining in school. In the context of the National Programme for the Social Prevention of Violence and Crime, grants for upper-secondary education are offered to female students living in municipalities with high levels of violence and delinquency. In 2015, 301,807 grants were awarded.

157. The PROSPERA programme also provides maintenance grants so that beneficiaries who complete their upper-secondary education can continue to study for a degree or a technical diploma.

158. The General Act on the Rights of Children and Adolescents was amended in 2018 to give educational and school authorities the power to notify the Federal Office for the Protection of Children and Adolescents about cases of irregular attendance, truancy or abandonment by students in basic and upper-secondary education. Thanks to that provision, specialized attention can be provided to ensure that children remain in the educational system.

(e) Right to housing (Recommendation 151)

159. The national housing policy has led to an increase in the number of houses free of defects from 18.1 million in 2008 to 23.6 million in 2016, respectively 66.5 per cent and 71.9 per cent of the total of private homes.

160. The following measures have been adopted to help vulnerable families access adequate housing:

- Property deed fees have been abolished for housing purchased by persons earning less than 2.6 times the minimum wage;
- Interest rates on loans for vertical property have been reduced;
- Families who join the formal market[19] can obtain a subsidy of up to Mex$ 80,000[20] or a loan to build a house on their own land;
- In 2016, the Another Room strategy was implemented to reduce overcrowding and provide children and adolescents with a space free from violence. Under the strategy, which was funded by investments of Mex$ 2,857.4 million, 75,848 additional rooms were built in 2,975 locations, of which 62 per cent were in 605 municipalities with high or very high levels of marginalization;
- Under the programme for the regularization of irregular human settlements, 18,434 lots were regularized in 2016, thanks to federal investments of Mex$ 182.8 million. Between 2013 and 2016, 78,208 subsidies were granted for the same purpose;
- Between 2013 and 2017, 804,158 subsidies were paid out for a total of Mex$ 41,714.1, 76.3 per cent for new housing and 23.7 per cent for other ends.

8. Other progress relevant to human rights

(a) Rights of vulnerable groups

(i) Older persons

161. The National Institute for Senior Citizens guides public policy vis-à-vis older persons and provides services such as lodging, day residences, cultural centres, clubs,

comprehensive care centres, training, discount cards, employment contracts and legal advice.

162. The *Seguro Popular* covers more than 4,112,319 persons aged over 65.

163. The Pensions for Older Adults federal programme provides economic assistance and social protection for persons over the age of 65 who receive monthly pensions of less than Mex$ 1,092. Tax-free support is provided to more than 5 million beneficiaries.

(ii) LGBTTTI persons (lesbian, gay, bisexual, transgender, transsexual, transvestite and intersex)

164. Without discrimination, Mexico recognizes sex changes for the issuance of passports, thereby guaranteeing the right to gender identity.

165. Since 2016, Mexico has been part of the LGBT Core Group of the United Nations and the Organization of American States.

166. The United Nations Human Rights Council adopted a resolution against violence and discrimination based on sexual orientation and gender identity, which also included provision for the mandate of an independent expert in that field.

167. A national survey on discrimination was conducted in 2017 in order to understand public perceptions of groups such as lesbian, gay, bisexual and transgender persons.

168. The National Council for the Prevention of Discrimination conducted a survey on discrimination based on sexual orientation and gender identity in order to gather information on experiences of discrimination faced by such persons.

169. A glossary on sexual and gender diversity and sexual characteristics has been prepared in order to develop conceptual tools with which to draft public policies with a comprehensive human rights focus.

170. The following documents have been drafted: a protocol regarding non-discriminatory access to medical-care services for lesbian, gay, bisexual and transsexual persons; guides on care for lesbian and bisexual women, gay and bisexual men and men who have sex with men; a protocol for trans persons; and a guide containing recommendations on the medical care of intersexuality and variation in sexual differentiation. The aim is to ensure effective and non-discriminatory access to health services and to foster a culture of respect for the human rights of lesbian, gay, bisexual, transgender and intersex persons in the health sector.

171. The Attorney General's Office has drawn up a strategy for dealing with lesbian, gay, bisexual, transgender and intersex persons, which envisages the creation of statistical registers as well as information and awareness-raising campaigns.

172. Constitutionally regulated judicial mechanisms guarantee the rights of same-sex couples to marry,[21] adopt,[22] access social security,[23] receive alimony,[24] and enjoy family life.[25]

(b) Labour and trade union rights

173. Labour reforms in 2017 transformed the labour justice system by giving judicial, federal and state-level authorities the power to resolve conflicts between workers and employers, a power that had previously lain with the executive.

174. A decentralized federal conciliatory body is to be created, with the authority to register collective labour contracts and trade union organizations. The body, which is to have legal personality and its own funds, will enjoy technical, operative, budgetary, decision-making and administrative autonomy.

175. The labour reforms envisage individual, free and secret voting by workers to elect their leaders, resolution of inter-union conflicts and requests to conclude collective labour contracts.

176. An advisory committee for the gradual and sustained recovery of general and professional minimum wages was created in 2014 with a view to adopting a new and

independent policy for the gradual and sustained recovery of minimum wages. In the 2018 revision, the minimum wage went up to Mex$ 88.36 per day.

Notes

[1] Se anexa lista de dependencias que participaron en el proceso de consultas (Anexo 1).
[2] Se anexan relatorías del Foro con organizaciones de sociedad civil, que incluye la lista de participantes. (Anexo 2).
[3] Se anexa matriz de seguimiento a recomendaciones (Anexo 3).
[4] Comité de Derechos Humanos, Comité para la Eliminación de la Discriminación contra la Mujer, Comité contra la Tortura, Comité para la Eliminación de la Discriminación Racial y Comité sobre los Derechos de las personas con Discapacidad.
[5] Comité contra la Tortura, Comité para la Eliminación de la Discriminación contra la Mujer, Comité sobre los Derechos de las personas con Discapacidad.
[6] Anexo se incluye un documento con el listado de visitas oficiales a México de Procedimientos Especiales y otros mecanismos de DDHH recibidas de 2013 a la fecha (Anexo 4).
[7] Sistema de indicadores de Género. Disponible en: http://estadistica.inmujeres.gob.mx/formas/pcindicadores.php?pc=1&objetivo=1.
[8] Baja California, Ciudad de México, Estado de México, Coahuila, Jalisco, Michoacán, Oaxaca, Puebla, Querétaro, Quintana Roo Tamaulipas, Veracruz y Zacatecas.
[9] Derivado de las Leyes Estatales de Igualdad entre Mujeres y Hombres, actualmente se encuentran en operación 30 Sistemas Estatales de Igualdad entre Mujeres y Hombres.
[10] Estado de México, Morelos, Chiapas, Michoacán, Nuevo León, Veracruz (feminicidio), Colima, Guerrero, Nayarit, San Luis Potosí, Sinaloa, Quintana Roo y Veracruz (agravio comparado).
[11] LFPED, leyes antidiscriminatorias: Nayarit y Quintana Roo; leyes en materia de PcD: Baja California, Baja California Sur, Campeche, Coahuila, Jalisco, Morelos, Veracruz, Yucatán.
[12] La Encuesta Nacional de la Dinámica Demográfica 2016, INEGI.
[13] Diario Oficial de la Federación, mayo de 2011.
[14] Actualmente existen 22 Grupos Beta, conformados por integrantes de los tres órdenes de gobierno y realizan labores en: Baja California, Sonora, Chihuahua, Coahuila, Tamaulipas, Veracruz, Tabasco, Chiapas y Oaxaca.
[15] Ver Tesis P. VI/2013 (10a.) y Tesis P. II/2013 (10a.) y Expediente varios 912/2010.
[16] Estado de México, Nuevo León, Veracruz y Guerrero.
[17] Con base en las últimas mediciones de la Consejo Nacional de Evaluación de la Política de Desarrollo Social, correspondientes a 2015.
[18] Ídem.
[19] Todos aquellos contribuyentes que cumplen con sus obligaciones ante el Sistema Tributario, en el caso de México es el Sistema de Administración Tributaria.
[20] Monto establecido en las Reglas de Operación del Programa de Acceso al Financiamiento para Soluciones Habitacionales, para el ejercicio fiscal 2017, denominado en Unidades de Medida de Actualización (UMA).
[21] Ver tesis: 1ª./J. 85/2015; 1ª./J. 46/2015 y 1a./J. 84/2015.
[22] Ver Tesis: 1ª./CCCLIX/2015 y P. XII/2016.
[23] Ver Tesis: 2ª. IX/2017.
[24] Ver Amparo Directo 19/2014.
[25] Ver Tesis: 1ª./J. 8/2017.